

Message Text

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TO USMISSION GENEVA IMMEDIATE

C O N F I D E N T I A L STATE 171118

FOR CTB DELEGATION

FOLLOWING REPEAT VIENNA 06490 ACTION SECSTATE INFO LONDON
GERMANTOWN MOSCOW NEW DELHI OTTAWA WASHDC 13 JUL 77

QUOTE

C O N F I D E N T I A L VIENNA 6490

USIAEA

DEPT PASS IO/SCT AND OES/NET

E.O. 11652: GDS

TAGS: PARM, TECH, IAEA, IN, UR, CA

SUBJECT: INDIA/IAEA NEGOTIATIONS OF SAFEGUARDS AGREEMENT IN
CONNECTION WITH USSR-SUPPLIED HEAVY WATER

REF: IAEA VIENNA A-240 (NOTAL)

1. MISSION HAS RECEIVED ON CONFIDENTIAL BASIS COPY OF
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LETTER TO DIRECTOR GENERAL EKLUND FROM H. N. SETHNA,
GOVERNMENT OF INDIA DEPARTMENT OF ATOMIC ENERGY. IN
THAT LETTER, RECEIVED BY AGENCY ON JULY 12, SETHNA
REQUESTS SUBMITTAL TO BOARD OF GOVERNORS OF SUBJECT
AGREEMENT AS FINALIZED IN BOMBAY (TRANSMITTED REF
AIRGRAM) BUT DELETING THE REFERENCES TO THE RAJASTHAN ATOMIC
POWER STATION. AGENCY (ACTING DIRECTOR GENERAL HALL) HAS CALLED

A MEETING TO BE HELD IN VIENNA AT 11 A.M. THIS
COMING FRIDAY, JULY 15, TO ASSESS EXTENT TO WHICH AGENCY POSITION
HAS SUPPORT. INVITATIONS TO ATTEND EXTENDED TO FOLLOWING MISSIONS:

U.S., US, USSR, AND CANADA. LOCAL REPS OF UK,

USSR AND CANADA BELIEVE THEY WILL RECEIVE INSTRUCTIONS FROM THEIR GOVERNMENTS TO SUPPORT STRONGLY THE AGENCY'S POSITION TO INCLUDE REFERENCES IN THE AGREEMENT TO THE RAJASTHAN REACTORS. MISSION URGENTLY REQUESTS INSTRUCTIONS RE USG POSITION IN TIME FOR JULY 15 MORNING MEETING. SUBSTANTIVE CONTENT OF SETHNA'S LETTER QUOTED IN PARA 2 BELOW.

2. BEGIN QUOTE AFTER THE SECOND ROUND OF NEGOTIATIONS HELD IN BOMBAY, AGREEMENT WAS REACHED ON ALL POINTS, EXCEPT ON THE INCLUSION OF THE CLAUSES RELATING TO THE RAJASTHAN ATOMIC POWER STATION. THE AGENCY HAD PUT FORWARD CERTAIN ARGUMENTS WHY IT WOULD NOT BE ABLE TO RECOMMEND TO THE BOARD APPLICATION OF TWO DIFFERENT SAFEGUARDS REGIES TO THE SAME STATION. IT WAS EXPLAINED TO THE AGENCY IN CONSIDERABLE DETAIL THAT THE TWO UNITS ARE COMPLETELY SEPARATE ENTITIES WITH THEIR OWN ANCILLARY FACILITIES, ETC., AND THEREFORE IT WILL NOT BE DIFFICULT TO KEEP THE HEAVY WATER CONFIDENTIAL

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STREAMS OR THE SPENT FUEL OF THE TWO UNITS SEPARATELY. THEREFORE, WE SEE NO DIFFICULTY IN APPLYING SAFEGUARDS UNDER DISCUSSION TO THAT REACTOR WHICH USES THE HEAVY WATER SUPPLIED BY THE SOVIET UNION. ACCORDING TO THE AGENCY'S SAFEGUARDS SYSTEM AS CONTAINED IN THE INFCIRC/66/REV.2, THE AGREEMENT SHALL ONLY COVER EQUIPMENT AND MATERIAL SUPPLIED AS WELL AS PRODUCED SPECIAL NUCLEAR MATERIAL INCLUDING SUBSEQUENT GENERATIONS USING ANY OF THE SUPPLIED ITEMS. IN THE PRESENT CASE, AS YOU ARE AWARE, ONLY HEAVY WATER HAS BEEN SUPPLIED BY THE SOVIET UNION AND THE MAIN AGREEMENT CAN, THEREFORE, INCLUDE ONLY THE HEAVY WATER SUPPLIED BY THE SOVIET UNION. AND THE SPECIAL NUCLEAR MATERIAL, INCLUDING SUBSEQUENT GENERATIONS, PRODUCED BY THE USE OF SAFEGUARDED HEAVY WATER. WHILST THERE IS NO DOUBT THAT THE SOVIET SUPPLIED HEAVY WATER WILL BE USED IN RAJASTHAN UNIT 2, THERE IS NO JUSTIFICATION FOR INCLUDING IT IN THE TEXT OF THE MAIN AGREEMENT. AS IS THE USUAL PRACTICE FOLLOWED BY THE AGENCY, WE WOULD BE AGREEABLE FOR SPECIFYING THE REACTOR IN WHICH THE SOVIET SUPPLIED HEAVY WATER

WILL BE USED IN THE SUBSIDIARY ARRANGEMENT TO BE
CONCLUDED PURSUANT TO THE MAIN AGREEMENT. SUCH AN
APPROACH HAS, IN FACT, BEEN FOLLOWED IN RECENT
AGREEMENTS NEGOTIATED BY THE AGENCY AND
RECOMMENDED TO THE BOARD. I WOULD, THEREFORE, URGE
YOU TO DELETE ALL REFERENCES TO THE RAJASTHAN ATOMIC
POWER STATION IN THE PROPOSED AGREEMENT BETWEEN
THE AGENCY AND INDIA. IF THERE ARE FURTHER TECHNICAL
AND ADMINISTRATIVE REASONS BEYOND THE ONES INDICATED
BY THE AGENCY SO FAR, I SHALL BE HAPPY TO RECEIVE
THEM. IF NOT, THEN I WOULD LIKE THE AGREEMENT AS
FINALIZED IN BOMBAY RECENTLY BUT DELETING THE
REFERENCES TO THE RAJASTHAN ATOMIC POWER STATION TO
BE SUBMITTED TO THE BOARD OF GOVERNORS FOR
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CONSIDERATION. ANY TECHNICAL AND ADMINISTRATIVE
RESERVATIONS THAT YOU MAY STILL HAVE COULD BE
SUBMITTED TO THE BOARD SEPARATELY. END QUOTE.

3. PLEASE ADVISE ON URGENT BASIS. STONE UNQTE VANCE

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Message Attributes

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